

Cox Padmore Skolnik & Shakarchy LLP

Attorneys at Law

Ralph N. Gaboury, Esq.
Of Counsel
Also admitted in
Massachusetts and Rhode Island

October 4, 2018

Via ECF Filing
Courtesy copy by Fax to (212) 805-7986

Hon. Paul G. Gardephe, U.S.D.J.
United States District Court
for the Southern District of New York
40 Foley Square, Room 2204
New York, NY 10007

**Re: Pearson Education, Inc., et al v. Doe 1 d/b/a Anything You Can
Imagine, et al., (SDNY 1:18-cv-7380-PGG)**

**WITHDRAWAL of Pre-Motion Conference Request and
CONSENTED Request for Extension of Time as to
Defendant Krista Hale sued herein as Doe 2 Momma's Media 'N More
to Respond to Complaint through and including Nov 3, 2018**

Dear Judge Gardephe:

This firm represents defendant Krista Hale, the sole proprietor of the Amazon online storefront named in the above-referenced proceeding as anonymous defendant "Doe 2 Momma's Media 'N More" ("Defendant Hale"). This letter is in regards to Defendant Hale's request for a pre-motion conference on her planned motion to dismiss pursuant to Rule 12(b)(6) which was filed on October 1, 2018 (ECF No. 71) (the "October 1 Pre-Motion Conference Request").

In connection with discussions between counsel for Defendant Hale and counsel for the plaintiffs regarding possible settlement of this matter, at this time Defendant Hale respectfully **withdraws** the October 1 Pre-Motion Conference Request, without prejudice.

Pursuant to Rule IV(A) of Your Honor's Individual Practices, the October 1 Pre-Motion Conference Request stayed Defendant Hale's time to answer or otherwise move with respect to the Complaint. In light of withdrawing the October 1 Pre-Motion Conference Request, pursuant to Fed. R. Civ. P. 6(b)(1)(A) and Rule I(D) of Your Honor's Individual Rules, **with the consent of the plaintiffs**, Defendant Hale now respectfully requests that her time to answer or otherwise move with respect to the Complaint be extended for a period of thirty (30) days for good cause,

630 Third Avenue 19th Floor New York, NY 10017-6735 212-953-6633 212-949-6943 (Telefax)
www.cpsslaw.com

A Partnership including Limited Liability Partnerships

Denver
303-839-9191

Great Neck
516-829-1080

Hackensack
201-489-0050

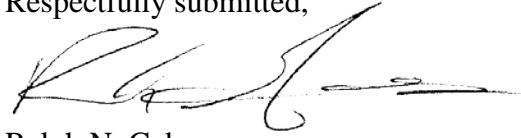
Hon. Paul G. Gardephe, U.S.D.J.
United States District Court for the Southern District of New York
October 4, 2018
Page 2

Cox Padmore Skolnik
& Shakarchy LLP
Attorneys at Law

through and including **November 3, 2018**. As good cause for this request, Defendant Hale and plaintiffs will be engaging in settlement discussions during this time, which may result in the settlement of this matter.¹

To summarize, by this letter, Defendant Hale withdraws her October 1 Pre-Motion Conference Request, and requests that her time to answer or move with respect to the Complaint be extended through and including November 3, 2018.

Respectfully submitted,

A handwritten signature in black ink, appearing to read 'R. N. Gaboury', with a long horizontal flourish extending to the right.

Ralph N. Gaboury

cc: Kerry M. Mustico (counsel for plaintiffs) (by ECF Filing)
Matthew I. Fleischman (counsel for plaintiffs) (by ECF Filing)

¹ Although this is Defendant Hale's first such direct request for an extension to respond to the Complaint, in connection with the entry of the Stipulated Preliminary Injunction entered on August 31, 2018 (ECF No. 34), the Court had granted Defendant Hale an extension of time to respond to the Complaint through and including October 1, 2018 (at which time she filed the October 1 Pre-Motion Conference Request).